

(2) PUBLISHER OR PRINTER OF A NEWSPAPER, MAGAZINE, OR OTHER FORM OF PRINTED ADVERTISEMENT WHO PUBLISHES OR PRINTS AN ADVERTISEMENT.

REVISOR'S NOTE: This section presently appears as Art. 27, §195A(f).

Reference to a "sound" radio broadcasting station is deleted as superfluous.

The only other changes are in style.

11-703. FALSE ADVERTISING PROHIBITED.

A PERSON MAY NOT ADVERTISE FALSELY IN THE CONDUCT OF ANY BUSINESS, TRADE, OR COMMERCE OR IN THE PROVISION OF ANY SERVICE.

REVISOR'S NOTE: This section presently appears as Art. 27, §195A(a).

The only changes are in style.

11-704. DETERMINATION WHETHER ADVERTISEMENT MISLEADING.

TO DETERMINE IF AN ADVERTISEMENT IS MISLEADING, THE FOLLOWING, IN ADDITION TO ANY OTHER APPROPRIATE CONSIDERATIONS, SHALL BE CONSIDERED:

(1) ANY REPRESENTATION MADE BY STATEMENT, WORD, DESIGN, DEVICE, OR SOUND, WHETHER ALONE OR TOGETHER; AND

(2) THE EXTENT TO WHICH THE ADVERTISEMENT FAILS TO REVEAL A FACT WHICH, IN LIGHT OF ANY REPRESENTATION MADE, IS MATERIAL WITH RESPECT TO THE ADVERTISED COMMODITY OR SERVICE UNDER CONDITIONS WHICH ARE:

(i) CUSTOMARY OR USUAL; OR

(ii) DESCRIBED IN THE ADVERTISEMENT.

REVISOR'S NOTE: This section presently appears as the second clause in §195A(b).

In item (2)(ii) of this section, the word "described" is substituted for the somewhat more restrictive "prescribed."

The only other changes are in style.

11-705. ENFORCEMENT BY ATTORNEY GENERAL.

(A) CIVIL PENALTY.